

NOTICE OF PUBLIC MEETING AND HEARINGS

PLANNING COMMISSION

COUNTY OF HAWAII

NOTICE IS HEREBY GIVEN of matters to be considered by the Planning Commission of the County of Hawaii in accordance with the provisions of Chapters 91 and 92, Hawaii Revised Statutes, Section 6-4.3 of the Charter of the County of Hawaii, and the Planning Commission's Rules of Practice and Procedure.

DATE: Wednesday, December 12, 2007
and continuing on Thursday, December 13, 2007, as needed.

TIME: 9:00 a.m.

PLACE: Waikoloa Beach Marriott Hotel
69-275 Waikoloa Drive
Waikoloa, Hawaii

UNFINISHED BUSINESS – 9:00 a.m.

1. INITIATOR: PLANNING DIRECTOR

- a. Continued hearing on the Planning Director's initiation of a Change of Zone (REZ 07-000067) for 37.88 acres of land from a Single-Family Residential 15,000-square foot (RS-15) to a Residential and Agricultural 5-acre (RA-5a) district.
- b. Continued hearing on the repeal of Ordinance No. 97-102 which rezoned 37.88 acres of land from an Agricultural 5-acre (A-5a) to a Single-Family Residential 15,000-square foot (RS-15) district.
- c. Continued hearing on the revocation of Special Management Area (SMA) Use Permit No. 379, which allowed the development of a 50-lot single-family residential subdivision.

The property involved, owned by Kohala LLC, is located along the southwest (makai) side of Akoni Pule Highway and the Kohala Ranch Subdivision, Kahua 1st, North Kohala, Hawaii, TMK: 5-9-1:8.

2. **APPLICANT: KOHALA LLC (REZ 866/SMA 379)**

- a. Continued hearing on an amendment to Condition C (time to secure final subdivision approval) of Change of Zone Ordinance No. 97-102, which rezoned 37.88 acres of land from an Agricultural 5-acre (A-5a) to a Single-Family Residential 15,000-square foot (RS-15) district.
- b. Continued hearing on an amendment to Condition 4 (time to secure final subdivision approval) Special Management Area Use Permit No. 379, which allowed the development of a 50-lot single-family residential subdivision.

The property involved is located along the southwest (makai) side of Akoni Pule Highway and the Kohala Ranch Subdivision, Kahua 1st, North Kohala, Hawaii, TMK: 5-9-1:8.

NEW BUSINESS – 9:30 a.m.

3. **APPLICANT: HAWI JODO MISSION (USE 07-000009)**

Use Permit to allow the establishment of an elementary school (K-6) on 0.95 acre of land within the County's Single-Family Residential 15,000-square foot (RS-15) district. The property is located along the south side of the Akoni Pule Highway (Highway 270), adjacent to and east of the existing Hawi Jodo Mission Church, Hawi, North Kohala, Hawaii, TMK: 5-5-11:39.

4. **APPLICANT: KONA VISTAS LLC (REZ 470)**

Request for amendment to Condition I (time to secure Final Plan Approval) of Ordinance No. 02 131, which reclassified certain lands from Unplanned (U) to a Multiple-Family Residential 5,000- square foot (RM-5) and a Single-Family Residential 15,000-square foot (RS-15) district. The property includes the existing Kona Vistas Subdivision situated mauka of Kuakini Highway (Highway 11), Holualoa 1st and 2nd, North Kona, Hawaii, TMK: 7-6-21:4, 9-13 and 15-17.

NEW BUSINESS – 10:15 a.m.

5. **INITIATOR: PLANNING DIRECTOR**

Amendment to Section 25-2-45, Chapter 25 (Zoning), Hawaii County Code 1983 (2005 Edition, as amended) with respect to Nonsignificant Zoning Changes.

UNFINISHED BUSINESS – 1:00 p.m.

6. **APPLICANT: DANIEL IBBETSON (SPP 05-000015)**

Action on the application for a Special Permit to operate a 2-unit bed and breakfast establishment on 0.722 acre of land situated within the State Land Use Agricultural district. The property is located along the west (makai) side of the Mamalahoa Highway (Highway 11), approximately 120 feet south of the Kaohe Road-Mamalahoa Highway intersection, Kaohe 5th, South Kona, Hawaii, TMK: 8-7-9: 14.

7. **APPLICANT: MATTHEW KILGORE (SMA 07-000020)**

Continued hearing on a Special Management Area (SMA) Use Permit to allow the construction of a 5-story, 11-unit condominium project on 14,450 square feet of land. The property is located along the makai side of Alii Drive, adjacent to and south of the Kona Banyan Tree Condominium, Holualoa 1st and 2nd, North Kona, Hawaii, TMK: 7-6-14:13.

ELECTION OF 2008 OFFICERS

WORKSHOP FOR PLANNING COMMISSIONERS

- Update of Planning Department activities, including status of the on-going community development plans.

MINUTES

November 16, 2007

ADMINISTRATIVE MATTERS

ANNOUNCEMENTS

ADJOURNMENT

The purpose of the public hearings is to afford all interested persons a reasonable opportunity to be heard on the above requests.

Pursuant to Rule 4, Contested Case Procedure, of the County of Hawaii Planning Commission Rules of Practice and Procedure, any person seeking to intervene as a party to a contested case hearing on item no. 3 above is required to file a written request which must be received in the office of the Planning Department no later than seven (7) calendar days prior to the Planning Commission's first public meeting on the matter. Such written request shall be in conformity with Rule 4, in a form as provided in Rule 4 Appendix A "Petition for Standing in a Contested Case Hearing." The written petition/request shall be filed with the Planning Commission at Aupuni Center, 101 Pauahi Street, Suite 3, Hilo, Hawaii 96720, and accompanied by a filing fee of \$100 payable to the Director of Finance. Any party may retain counsel if that person so desires. Rule 4 may be inspected or purchased (\$2.50) at the above-cited location. Rule 4 may also be viewed at the County of Hawaii website (<http://www.co.hawaii.hi.us>).

Submitting Testimony: According to Rule 1 (General Rules) of the Planning Commission, a person desiring to submit oral or written testimony shall indicate her/his name; residence address; and whether the testimony is on her/his behalf or as a representative of an organization or individual. If testimony is being submitted on behalf of an organization, documentation showing membership ratification should accompany the testimony. Written testimony shall be submitted with an original and nine copies prior to testifying. The Commission would appreciate timely submittal to the Planning Department at least one week prior to the hearing date to allow for mailing and thorough Commission review. Testimony that is irrelevant or unduly repetitious may be limited by the Chairperson pursuant to Rule 1.

Notice to Lobbyists: If you are a lobbyist, you must register with the Hawaii County Clerk within five days of becoming a lobbyist {Article 15, Section 2-91.3(b), Hawaii County Code}. A lobbyist means “any individual engaged for pay or other consideration who spends more than five hours in any month or \$275 in any six-month period for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.” {Article 15, Section 2-91.3(a)(6), Hawaii County Code} Registration forms and expenditure report documents are available at the Office of the County Clerk, 333 Kilauea Avenue, 2nd Floor, Hilo, Hawaii 96720.

Maps showing the general locations and boundaries of the areas under consideration and/or plans of the proposed developments are on file and open to inspection during office hours at the Planning Department, Aupuni Center, 101 Pauahi Street, Suite 3, Hilo, Hawaii and at the Kona office of the Planning Department, 75-5706 Kuakini Highway, Suite 109, Kailua-Kona, Hawaii.

Any disabled person requiring special assistance or person requiring auxiliary aid and/or services to participate in the hearing should contact the Planning Department at 961-8288 five (5) working days prior to the hearing so that appropriate arrangements can be made.

Hawai'i County is an Equal Opportunity Provider and Employer.

PLANNING COMMISSION

William Graham, Chair
C. Kimo Alameda, 1st Vice Chair
Rodney Watanabe, 2nd Vice Chair

(Hawaii Tribune Herald: November 22, 2007)
(West Hawaii Today: November 22, 2007)